

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KELVIN DAMASSIA, ARNOLD CABALLERO,  
DAYANAND BALDEO, MARLON FERGUS,  
MOHAMMED HOQUE, MUHAMMED  
KHAWAJA, IFEANYI MALU, MOURAD  
MANSY, MAXWELL OKEKE and DELFIN RUIZ,  
on behalf of themselves and all others similarly  
situated,

Plaintiffs,

-against-

DUANE READE, INC.,

Defendant.

ENAMUL CHOWDHURY, Individually and on  
Behalf of All Others Persons Similarly Situated,

Plaintiffs,

-against-

DUANE READE, INC., and DUANE READE  
HOLDINGS, INC.

Defendants.

Index No. 04 CV 08819 (GEL)

**STIPULATION AND ORDER FOR  
EXTENSION OF DISCOVERY AND  
LITIGATION DEADLINES**

Index No. 06 CV 02295 (GEL)

IT IS HEREBY STIPULATED AND AGREED by and between counsel for Plaintiffs  
and Defendants that the deadlines for 1) discovery; 2) expert discovery; and 3) motion practice  
shall be extended or scheduled as follows:

1. The deadline for the close of fact discovery, set at November 30, 2008 will be extended through and including February 16, 2009.
2. The bar date for opt-in plaintiffs in both cases, set on November 30, 2008, a Sunday, shall be extended to the following day, December 1, 2008.
3. The deadline for Plaintiffs to identify their experts is extended to 31 days prior to the close of fact discovery, or to January 16, 2009.

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4. Defendants must identify their experts within 30 days of identification of Plaintiffs' expert.
5. The deadline for service of expert reports, currently set at January 4, 2009, shall be extended to March 23, 2009 or 35 days after the close of fact discovery.
6. The date by which expert discovery closes, currently set for February 19, 2009, shall be extended to April 17, 2009, or 60 days after the close of fact discovery. Rebuttal reports, if any, are due 21 days after the deposition of any expert.
7. Motions for decertification of the collective actions, as well as motions for decertification of the classes certified pursuant to F.R.C.P. 23, if any, shall be served 35 days after the close of expert discovery, or by May 22, 2009. Opposition to any motion for decertification shall be served 30 days after such motions are served. Reply papers in support of motions for decertification shall be due 30 days after service of opposition papers.
8. Summary Judgment motions, if any, shall be due 30 days after the Court renders a decision regarding decertification motions, if any. If no decertification motions are filed, summary judgment motions must be filed 45 days after the close of expert discovery, or by June 1, 2009. Opposition to any motion for summary judgment shall be due 45 days after service of such motions. Reply papers in support of any summary judgment motion will be due 30 days after service of opposition papers.
9. *A conference shall be held on February 20, 2009,  
at 10:30 a.m.* *RZ.*

SO STIPULATED:

OUTTEN & GOLDEN LLP

By:



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LITTLER MENDELSON, P.C.

By:

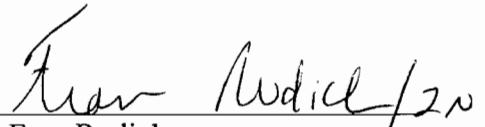


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Counsel for Defendants

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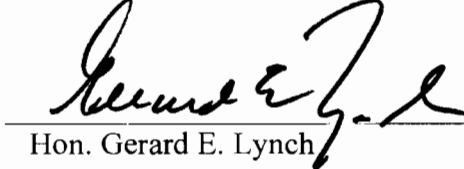
By:



Fran Rudich  
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(914) 997-5656

Class Counsel

SO ORDERED:



Hon. Gerard E. Lynch

, United States District Judge

DATE:

